

115TH CONGRESS
1ST SESSION

H. R. 3686

Making supplemental appropriations for the fiscal year ending September 30, 2017, to improve and streamline disaster assistance for Hurricane Harvey, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 6, 2017

Ms. JACKSON LEE (for herself, Mr. GENE GREEN of Texas, Mr. AL GREEN of Texas, Mr. DOGGETT, Mr. CUELLAR, Mr. RASKIN, Mr. KILDEE, Mr. BUTTERFIELD, Mr. CLAY, Mr. CLEAVER, Mr. HASTINGS, Mr. JOHNSON of Georgia, Mr. SCOTT of Virginia, Mr. LEWIS of Georgia, Mr. CONYERS, Ms. LEE, Ms. KELLY of Illinois, Mr. RUSH, Mr. DANNY K. DAVIS of Illinois, Mr. ELLISON, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KENNEDY, Mr. VARGAS, Mr. CASTRO of Texas, Mr. O'ROURKE, Mr. GONZALEZ of Texas, Mr. VELA, Mr. VEASEY, Mr. RICHMOND, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. LANGEVIN, Mr. BROWN of Maryland, Mr. ENGEL, Mr. NADLER, Ms. MOORE, Mrs. DEMINGS, Ms. CLARKE of New York, Mr. CICILLINE, Mr. CROWLEY, Mr. LAWSON of Florida, Mrs. LAWRENCE, Ms. KAPTUR, Mrs. CAROLYN B. MALONEY of New York, Ms. SCHAKOWSKY, and Ms. BLUNT ROCHESTER) introduced the following bill; which was referred to the Committee on Appropriations, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

Making supplemental appropriations for the fiscal year ending September 30, 2017, to improve and streamline disaster assistance for Hurricane Harvey, and for other purposes.

1 Act (Emergency Forest Restoration Program; 16 U.S.C.
2 2206): *Provided*, That the Secretary of Agriculture shall
3 transfer these funds to the Farm Service Agency and the
4 Natural Resources Conservation Service: *Provided further*,
5 That such amount is designated by the Congress as being
6 for an emergency requirement pursuant to section
7 251(b)(2)(A)(i) of the Balanced Budget and Emergency
8 Deficit Control Act of 1985.

9 GENERAL PROVISION—THIS TITLE

10 SEC. 1011. The Office of Inspector General of the
11 Department of Agriculture shall use unobligated disaster
12 assistance oversight funds provided to such office in divi-
13 sion B of Public Law 110–329 (122 Stat. 3585) for con-
14 tinued oversight of Department of Agriculture disaster-
15 and emergency-related activities.

16 TITLE II

17 DEPARTMENT OF COMMERCE

18 NATIONAL OCEANIC AND ATMOSPHERIC

19 ADMINISTRATION

20 OPERATIONS, RESEARCH, AND FACILITIES

21 For an additional amount for “Operations, Research,
22 and Facilities”, \$321,000,000, to remain available until
23 September 30, 2018, as follows:

1 (1) \$50,000,000 for mapping, charting, geodesy
2 services and marine debris surveys for coastal States
3 impacted by Hurricane Harvey;

4 (2) \$20,000,000 to repair and replace ocean ob-
5 serving and coastal monitoring assets damaged by
6 Hurricane Harvey;

7 (3) \$6,000,000 to provide technical assistance
8 to support State assessments of coastal impacts of
9 Hurricane Harvey;

10 (4) \$75,000,000 to improve weather forecasting
11 and hurricane intensity forecasting capabilities, to
12 include data assimilation from ocean observing plat-
13 forms and satellites;

14 (5) \$150,000,000 for laboratories and coopera-
15 tive institutes research activities associated with sus-
16 tained observations weather research programs, and
17 ocean and coastal research; and

18 (6) \$20,000,000 for necessary expenses related
19 to fishery disasters during calendar year 2017 that
20 were declared by the Secretary of Commerce as a di-
21 rect result of impacts from Hurricane Harvey:

22 *Provided*, That the National Oceanic and Atmospheric Ad-
23 ministration shall submit a spending plan to the Commit-
24 tees on Appropriations of the House of Representatives
25 and the Senate within 45 days after the date of enactment

1 of this Act: *Provided further*, That such amount is des-
2 ignated by the Congress as being for an emergency re-
3 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
4 anced Budget and Emergency Deficit Control Act of 1985.

5 PROCUREMENT, ACQUISITION AND CONSTRUCTION

6 For an additional amount for “Procurement, Acquisi-
7 tion and Construction”, \$480,000,000, to remain available
8 until September 30, 2019, as follows:

9 (1) \$20,000,000 to repair National Oceanic and
10 Atmospheric Administration (NOAA) facilities dam-
11 aged by Hurricane Harvey;

12 (2) \$90,000,000 for repairs and upgrades to
13 NOAA hurricane reconnaissance aircraft;

14 (3) \$30,000,000 for improvements to weather
15 forecasting equipment and supercomputer infra-
16 structure;

17 (4) \$40,000,000 to accelerate the National
18 Weather Service ground readiness project; and

19 (5) \$300,000,000 for a weather satellite data
20 mitigation gap reserve fund:

21 *Provided*, That NOAA shall submit a spending plan to the
22 Committees on Appropriations of the House of Represent-
23 atives and the Senate within 45 days after the date of
24 enactment of this Act: *Provided further*, That such amount
25 is designated by the Congress as being for an emergency

1 requirement pursuant to section 251(b)(2)(A)(i) of the
2 Balanced Budget and Emergency Deficit Control Act of
3 1985.

4 DEPARTMENT OF JUSTICE

5 FEDERAL BUREAU OF INVESTIGATION

6 SALARIES AND EXPENSES

7 For an additional amount for “Salaries and Ex-
8 penses” for necessary expenses related to the con-
9 sequences of Hurricane Harvey, \$30,000,000: *Provided*,
10 That such amount is designated by the Congress as being
11 for an emergency requirement pursuant to section
12 251(b)(2)(A)(i) of the Balanced Budget and Emergency
13 Deficit Control Act of 1985.

14 DRUG ENFORCEMENT ADMINISTRATION

15 SALARIES AND EXPENSES

16 For an additional amount for “Salaries and Ex-
17 penses” for necessary expenses related to the con-
18 sequences of Hurricane Harvey, \$1,000,000: *Provided*,
19 That such amount is designated by the Congress as being
20 for an emergency requirement pursuant to section
21 251(b)(2)(A)(i) of the Balanced Budget and Emergency
22 Deficit Control Act of 1985.

1 BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND
2 EXPLOSIVES
3 SALARIES AND EXPENSES

4 For an additional amount for “Salaries and Ex-
5 penses” for necessary expenses related to the con-
6 sequences of Hurricane Harvey, \$230,000: *Provided*, That
7 such amount is designated by the Congress as being for
8 an emergency requirement pursuant to section
9 251(b)(2)(A)(i) of the Balanced Budget and Emergency
10 Deficit Control Act of 1985.

11 FEDERAL PRISON SYSTEM
12 BUILDINGS AND FACILITIES

13 For an additional amount for “Buildings and Facili-
14 ties” for necessary expenses related to the consequences
15 of Hurricane Harvey, \$20,000,000, to remain available
16 until expended: *Provided*, That such amount is designated
17 by the Congress as being for an emergency requirement
18 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-
19 et and Emergency Deficit Control Act of 1985.

20 SCIENCE
21 NATIONAL AERONAUTICS AND SPACE ADMINISTRATION
22 CONSTRUCTION AND ENVIRONMENTAL COMPLIANCE AND
23 RESTORATION

24 For an additional amount for “Construction and En-
25 vironmental Compliance and Restoration” for repair at

1 National Aeronautics and Space Administration facilities
2 damaged by Hurricane Harvey, \$50,000,000, to remain
3 available until September 30, 2018: *Provided*, That such
4 amount is designated by the Congress as being for an
5 emergency requirement pursuant to section
6 251(b)(2)(A)(i) of the Balanced Budget and Emergency
7 Deficit Control Act of 1985.

8 RELATED AGENCIES

9 LEGAL SERVICES CORPORATION

10 PAYMENT TO THE LEGAL SERVICES CORPORATION

11 For an additional amount for “Payment to the Legal
12 Services Corporation” to carry out the purposes of the
13 Legal Services Corporation Act by providing for necessary
14 expenses related to the consequences of Hurricane Harvey,
15 \$10,000,000: *Provided*, That the amount made available
16 under this heading shall be used only to provide the mobile
17 resources, technology, and disaster coordinators necessary
18 to provide storm-related services to the Legal Services
19 Corporation client population and only in the areas signifi-
20 cantly affected by Hurricane Harvey: *Provided further*,
21 That such amount is designated by the Congress as being
22 for an emergency requirement pursuant to section
23 251(b)(2)(A)(i) of the Balanced Budget and Emergency
24 Deficit Control Act of 1985: *Provided further*, That none
25 of the funds appropriated in this Act to the Legal Services

1 Corporation shall be expended for any purpose prohibited
2 or limited by, or contrary to any of the provisions of, sec-
3 tions 501, 502, 503, 504, 505, and 506 of Public Law
4 105–119, and all funds appropriated in this Act to the
5 Legal Services Corporation shall be subject to the same
6 terms and conditions set forth in such sections, except that
7 all references in sections 502 and 503 to 1997 and 1998
8 shall be deemed to refer instead to 2017 and 2018, respec-
9 tively, and except that sections 501 and 503 of Public Law
10 104–134 (referenced by Public Law 105–119) shall not
11 apply to the amount made available under this heading:
12 *Provided further*, That, for the purposes of this Act, the
13 Legal Services Corporation shall be considered an agency
14 of the United States Government.

15 TITLE III

16 DEPARTMENT OF DEFENSE

17 DEPARTMENT OF DEFENSE—MILITARY

18 OPERATION AND MAINTENANCE

19 OPERATION AND MAINTENANCE, ARMY

20 For an additional amount for “Operation and Main-
21 tenance, Army”, \$12,000,000, to remain available until
22 September 30, 2017, for necessary expenses related to the
23 consequences of Hurricane Harvey: *Provided*, That such
24 amount is designated by the Congress as being for an
25 emergency requirement pursuant to section

1 251(b)(2)(A)(i) of the Balanced Budget and Emergency
2 Deficit Control Act of 1985.

3 OPERATION AND MAINTENANCE, NAVY

4 For an additional amount for “Operation and Main-
5 tenance, Navy”, \$100,000,000, to remain available until
6 September 30, 2017, for necessary expenses related to the
7 consequences of Hurricane Harvey: *Provided*, That such
8 amount is designated by the Congress as being for an
9 emergency requirement pursuant to section
10 251(b)(2)(A)(i) of the Balanced Budget and Emergency
11 Deficit Control Act of 1985.

12 OPERATION AND MAINTENANCE, AIR FORCE

13 For an additional amount for “Operation and Main-
14 tenance, Air Force”, \$25,000,000, to remain available
15 until September 30, 2017, for necessary expenses related
16 to the consequences of Hurricane Harvey: *Provided*, That
17 such amount is designated by the Congress as being for
18 an emergency requirement pursuant to section
19 251(b)(2)(A)(i) of the Balanced Budget and Emergency
20 Deficit Control Act of 1985.

21 OPERATION AND MAINTENANCE, ARMY NATIONAL

22 GUARD

23 For an additional amount for “Operation and Main-
24 tenance, Army National Guard”, \$10,000,000, to remain
25 available until September 30, 2017, for necessary expenses

1 related to the consequences of Hurricane Harvey: *Pro-*
2 *vided*, That such amount is designated by the Congress
3 as being for an emergency requirement pursuant to sec-
4 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
5 gency Deficit Control Act of 1985.

6 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

7 For an additional amount for “Operation and Main-
8 tenance, Air National Guard”, \$12,000,000, to remain
9 available until September 30, 2017, for necessary expenses
10 related to the consequences of Hurricane Harvey: *Pro-*
11 *vided*, That such amount is designated by the Congress
12 as being for an emergency requirement pursuant to sec-
13 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
14 gency Deficit Control Act of 1985.

15 PROCUREMENT

16 PROCUREMENT OF AMMUNITION, ARMY

17 For an additional amount for “Procurement of Am-
18 muniton, Army”, \$4,000,000, to remain available until
19 September 30, 2019, for necessary expenses related to the
20 consequences of Hurricane Harvey: *Provided*, That such
21 amount is designated by the Congress as being for an
22 emergency requirement pursuant to section
23 251(b)(2)(A)(i) of the Balanced Budget and Emergency
24 Deficit Control Act of 1985.

1 REVOLVING AND MANAGEMENT FUNDS

2 DEFENSE WORKING CAPITAL FUNDS

3 For an additional amount for “Defense Working
4 Capital Funds”, \$60,000,000, to remain available until
5 September 30, 2017, for necessary expenses related to the
6 consequences of Hurricane Harvey: *Provided*, That such
7 amount is designated by the Congress as being for an
8 emergency requirement pursuant to section
9 251(b)(2)(A)(i) of the Balanced Budget and Emergency
10 Deficit Control Act of 1985.

11 TITLE IV

12 DEPARTMENT OF THE ARMY

13 CORPS OF ENGINEERS—CIVIL

14 INVESTIGATIONS

15 For an additional amount for “Investigations” for
16 necessary expenses related to the consequences of Hurri-
17 cane Harvey, \$150,000,000, to remain available until ex-
18 pended to expedite at full Federal expense studies of flood
19 and storm damage reduction: *Provided*, That using
20 \$120,000,000 of the funds provided herein, the Secretary
21 of the Army shall expedite and complete ongoing flood and
22 storm damage reduction studies in areas that were im-
23 pacted by Hurricane Harvey in the Southwestern and Mis-
24 sissippi Valley Divisions of the United States Army Corps
25 of Engineers: *Provided further*, That using up to

1 \$20,000,000 of the funds provided herein, the Secretary
2 shall conduct a comprehensive study to address the flood
3 risks of vulnerable coastal populations in areas that were
4 affected by Hurricane Harvey within the boundaries of the
5 Southwestern and Mississippi Valley Divisions of the
6 Corps: *Provided further*, That an interim report with an
7 assessment of authorized Corps projects for reducing
8 flooding and storm risks in the affected area that have
9 been constructed or are under construction, including con-
10 struction cost estimates, shall be submitted to the Com-
11 mittees on Appropriations of the House of Representatives
12 and the Senate not later than March 1, 2018: *Provided*
13 *further*, That an interim report identifying any previously
14 authorized but unconstructed Corps project and any
15 project under study by the Corps for reducing flooding and
16 storm damage risks in the affected area, including up-
17 dated construction cost estimates, that are, or would be,
18 consistent with the comprehensive study shall be sub-
19 mitted to the appropriate congressional committees by
20 May 1, 2018: *Provided further*, That a final report shall
21 be submitted to the appropriate congressional committees
22 within 24 months of the date of enactment of this Act:
23 *Provided further*, That as a part of the study, the Sec-
24 retary shall identify those activities warranting additional
25 analysis by the Corps, as well as institutional and other

1 barriers to providing protection to the affected coastal
2 areas: *Provided further*, That the Secretary shall conduct
3 the study in coordination with other Federal agencies, and
4 State, local and Tribal officials to ensure consistency with
5 other plans to be developed, as appropriate: *Provided fur-*
6 *ther*, That using \$500,000 of the funds provided herein,
7 the Secretary shall conduct an evaluation of the perform-
8 ance of existing projects constructed by the Corps and im-
9 pacted by Hurricane Harvey for the purposes of deter-
10 mining their effectiveness and making recommendations
11 for improvements thereto: *Provided further*, That as a part
12 of the study, the Secretary shall identify institutional and
13 other barriers to providing comprehensive protection to af-
14 fected coastal areas and shall provide this report to the
15 Committees on Appropriations of the House of Represent-
16 atives and the Senate within 120 days of enactment of
17 this Act: *Provided further*, That the amounts in this para-
18 graph are designated by the Congress as being for an
19 emergency requirement pursuant to section
20 251(b)(2)(A)(i) of the Balanced Budget and Emergency
21 Deficit Control Act of 1985: *Provided further*, That the
22 Assistant Secretary of the Army for Civil Works shall pro-
23 vide a monthly report to the Committees on Appropria-
24 tions of the House of Representatives and the Senate de-

1 tailing the allocation and obligation of these funds, begin-
2 ning not later than 60 days after enactment of this Act.

3 CONSTRUCTION

4 For an additional amount for “Construction” for nec-
5 essary expenses related to the consequences of Hurricane
6 Harvey, \$15,000,000,000, to remain available until ex-
7 pended to rehabilitate, repair and construct United States
8 Army Corps of Engineers projects: *Provided*, That
9 \$10,000,000,000 of the funds provided under this heading
10 shall be used to reduce future flood risk in ways that will
11 support the long-term sustainability of the coastal eco-
12 system and communities and reduce the economic costs
13 and risks associated with large-scale flood and storm
14 events in areas along the Gulf Coast within the boundaries
15 of the Southwestern and Mississippi Valley Divisions of
16 the Corps that were affected by Hurricane Harvey: *Pro-*
17 *vided further*, That \$2,700,000,000 of such funds shall be
18 made available not earlier than 14 days after the Sec-
19 retary of the Army submits the report required under the
20 heading “Investigations” to be submitted not later than
21 March 1, 2018, and \$6,000,000,000 shall be made avail-
22 able not earlier than 14 days after the Secretary submits
23 the report required under the heading “Investigations” to
24 be submitted not later than May 1, 2018: *Provided further*,
25 That efforts using these funds shall incorporate current

1 science and engineering standards in constructing pre-
2 viously authorized Corps projects designed to reduce flood
3 and storm damage risks and modifying existing Corps
4 projects that do not meet these standards, with such modi-
5 fications as the Secretary determines are necessary to in-
6 corporate these standards or to meet the goal of providing
7 sustainable reduction to flooding and storm damage risks:
8 *Provided further*, That upon approval of the Committees
9 on Appropriations of the House of Representatives and the
10 Senate these funds may be used to construct any project
11 under study by the Corps for reducing flooding and storm
12 damage risks in areas along the Gulf Coast within the
13 Southwestern and Mississippi Valley Divisions of the
14 Corps that were affected by Hurricane Harvey that the
15 Secretary determines is technically feasible, economically
16 justified, and environmentally acceptable: *Provided fur-*
17 *ther*, That the completion of ongoing construction projects
18 receiving funds provided by this Act shall be at full Fed-
19 eral expense with respect to such funds: *Provided further*,
20 That the non-Federal cash contribution for projects using
21 these funds shall be financed in accordance with the provi-
22 sions of section 103(k) of Public Law 99-662 over a pe-
23 riod of 30 years from the date of completion of the project
24 or separable element: *Provided further*, That for these
25 projects, the provisions of section 902 of the Water Re-

1 sources Development Act of 1986 shall not apply to these
2 funds: *Provided further*, That up to \$150,000,000 of the
3 funds provided under this heading shall be used to expe-
4 dite continuing authorities projects to reduce the risk of
5 flooding along the coastal areas in States impacted by
6 Hurricane Harvey within the boundaries of the South-
7 western and Mississippi Valley Divisions of the Corps:
8 *Provided further*, That \$9,000,000 of the funds provided
9 under this heading shall be used for repairs to projects
10 that were under construction and damaged by the impacts
11 of Hurricane Harvey: *Provided further*, That any projects
12 using funds appropriated under this heading shall be initi-
13 ated only after non-Federal interests have entered into
14 binding agreements with the Secretary requiring the non-
15 Federal interests to pay 100 percent of the operation,
16 maintenance, repair, replacement, and rehabilitation costs
17 of the project and to hold and save the United States free
18 from damages due to the construction or operation and
19 maintenance of the project, except for damages due to the
20 fault or negligence of the United States or its contractors:
21 *Provided further*, That the Assistant Secretary of the
22 Army for Civil Works shall submit to the Committees on
23 Appropriations of the House of Representatives and the
24 Senate a monthly report detailing the allocation and obli-

1 gation of these funds, beginning not later than 60 days
2 after the date of the enactment of this Act.

3 OPERATION AND MAINTENANCE

4 For an additional amount for “Operation and Main-
5 tenance” for necessary expenses related to the con-
6 sequences of Hurricane Harvey, \$2,500,000,000, to re-
7 main available until expended to dredge Federal naviga-
8 tion channels and repair damage to United States Army
9 Corps of Engineers projects: *Provided*, That such amount
10 is designated by the Congress as being for an emergency
11 requirement pursuant section 251(b)(2)(A)(i) of the Bal-
12 anced Budget and Emergency Deficit Control Act of 1985:
13 *Provided further*, That the Assistant Secretary of the
14 Army for Civil Works shall provide a monthly report to
15 the Committees on Appropriations of the House of Rep-
16 resentatives and the Senate detailing the allocation and
17 obligation of these funds, beginning not later than 60 days
18 after enactment of this Act.

19 FLOOD CONTROL AND COASTAL EMERGENCIES

20 For an additional amount for “Flood Control and
21 Coastal Emergencies” for necessary expenses related to
22 the consequences of Hurricane Harvey, \$13,000,000,000,
23 to remain available until expended to prepare for flood,
24 hurricane, and other natural disasters and support emer-
25 gency operations, repairs and other activities as author-

1 ized by law: *Provided*, That \$1,400,000,000 of the funds
2 provided herein shall be made available not earlier than
3 14 days after the Secretary of the Army submits the re-
4 port required under the heading “Investigations” to be
5 submitted not later than March 1, 2018, and shall be uti-
6 lized by the United States Army Corps of Engineers to
7 restore projects impacted by Hurricane Harvey in the
8 Southwestern and Mississippi Valley Divisions of the
9 Corps to design profiles of the authorized projects: *Pro-*
10 *vided further*, That the provisions of section 902 of the
11 Water Resources Development Act of 1986 shall not apply
12 to funds provided under this heading: *Provided further*,
13 That the amounts in this paragraph are designated by the
14 Congress as being for an emergency requirement pursuant
15 section 251(b)(2)(A)(i) of the Balanced Budget and
16 Emergency Deficit Control Act of 1985: *Provided further*,
17 That the Assistant Secretary of the Army for Civil Works
18 shall provide a monthly report to the Committees on Ap-
19 propriations of the House of Representatives and the Sen-
20 ate detailing the allocation and obligation of these funds,
21 beginning not later than 60 days after enactment of this
22 Act.

23 EXPENSES

24 For an additional amount for “Expenses” for nec-
25 essary expenses related to the consequences of Hurricane

1 Harvey, \$30,000,000, to remain available until expended
2 to oversee emergency response and recovery activities:
3 *Provided*, That such amount is designated by the Congress
4 as being for an emergency requirement pursuant section
5 251(b)(2)(A)(i) of the Balanced Budget and Emergency
6 Deficit Control Act of 1985: *Provided further*, That the
7 Assistant Secretary of the Army for Civil Works shall pro-
8 vide a monthly report to the Committees on Appropria-
9 tions of the House of Representatives and the Senate de-
10 tailing the allocation and obligation of these funds, begin-
11 ning not later than 60 days after enactment of this Act.

12 TITLE V

13 GENERAL SERVICES ADMINISTRATION

14 REAL PROPERTY ACTIVITIES

15 FEDERAL BUILDINGS FUND

16 For an additional amount to be deposited in the
17 “Federal Buildings Fund”, \$25,000,000, to remain avail-
18 able until September 30, 2019, for necessary expenses re-
19 lated to the consequences of Hurricane Harvey, for basic
20 repair and alteration of buildings under the custody and
21 control of the Administrator of General Services, and real
22 property management and related activities not otherwise
23 provided for: *Provided*, That such amount is designated
24 by the Congress as being for an emergency requirement

1 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-
2 et and Emergency Deficit Control Act of 1985.

3 SMALL BUSINESS ADMINISTRATION

4 SALARIES AND EXPENSES

5 The provisions under this heading in title III of this
6 Act shall be applied by substituting “\$20,000,000” for
7 “\$10,000,000”.

8 OFFICE OF INSPECTOR GENERAL

9 For an additional amount for “Office of Inspector
10 General”, \$5,000,000, to remain available until expended:
11 *Provided*, That such amount is designated by the Congress
12 as being for an emergency requirement pursuant to sec-
13 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
14 gency Deficit Control Act of 1985.

15 DISASTER LOANS PROGRAM ACCOUNT

16 (INCLUDING TRANSFERS OF FUNDS)

17 For an additional amount for “Disaster Loans Pro-
18 gram Account” for the cost of direct loans authorized by
19 section 7(b) of the Small Business Act, \$2,000,000,000,
20 to remain available until expended: *Provided*, That such
21 costs, including the cost of modifying such loans, shall be
22 defined in section 502 of the Congressional Budget Act
23 of 1974: *Provided further*, That in addition, for adminis-
24 trative expenses to carry out the direct loan program au-
25 thorized by section 7(b) of the Small Business Act, an ad-

1 ditional \$700,000,000 to remain available until expended,
2 of which \$690,000,000 is for direct administrative ex-
3 penses of loan making and servicing to carry out the direct
4 loan program, which may be transferred to and merged
5 with the appropriations for Salaries and Expenses, and
6 of which \$10,000,000 is for indirect administrative ex-
7 penses for the direct loan program, which may to be trans-
8 ferred to and merged with appropriations for Salaries and
9 Expenses: *Provided further*, That such amounts are des-
10 ignated by the Congress as being for an emergency re-
11 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
12 anced Budget and Emergency Deficit Control Act of 1985.

13 TITLE VI

14 DEPARTMENT OF HOMELAND SECURITY

15 UNITED STATES CUSTOMS AND BORDER PROTECTION

16 SALARIES AND EXPENSES

17 For an additional amount for “Salaries and Ex-
18 penses” for necessary expenses related to the con-
19 sequences of Hurricane Harvey, \$5,000,000: *Provided*,
20 That such amount is designated by the Congress as being
21 for an emergency requirement pursuant to section
22 251(b)(2)(A)(i) of the Balanced Budget and Emergency
23 Deficit Control Act of 1985: *Provided further*, That a de-
24 scription of all property to be replaced, with associated
25 costs, shall be submitted to the Committees on Appropria-

1 tions of the House of Representatives and the Senate no
2 later than 90 days after the date of enactment of this Act.

3 UNITED STATES IMMIGRATION AND CUSTOMS

4 ENFORCEMENT

5 SALARIES AND EXPENSES

6 For an additional amount for “Salaries and Ex-
7 penses” for necessary expenses related to the con-
8 sequences of Hurricane Harvey, \$855,000: *Provided*, That
9 such amount is designated by the Congress as being for
10 an emergency requirement pursuant to section
11 251(b)(2)(A)(i) of the Balanced Budget and Emergency
12 Deficit Control Act of 1985: *Provided further*, That a de-
13 scription of all property to be replaced, with associated
14 costs, shall be submitted to the Committees on Appropria-
15 tions of the House of Representatives and the Senate no
16 later than 90 days after the date of enactment of this Act.

17 UNITED STATES SECRET SERVICE

18 SALARIES AND EXPENSES

19 For an additional amount for “Salaries and Ex-
20 penses” for necessary expenses related to the con-
21 sequences of Hurricane Harvey, \$2,000,000: *Provided*,
22 That such amount is designated by the Congress as being
23 for an emergency requirement pursuant to section
24 251(b)(2)(A)(i) of the Balanced Budget and Emergency
25 Deficit Control Act of 1985: *Provided further*, That a de-

1 scription of all property to be replaced, with associated
2 costs, shall be submitted to the Committees on Appropria-
3 tions of the House of Representatives and the Senate no
4 later than 90 days after the date of enactment of this Act.

5 COAST GUARD

6 ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

7 (INCLUDING TRANSFER OF FUNDS)

8 For an additional amount for “Acquisition, Construc-
9 tion, and Improvements” for necessary expenses related
10 to the consequences of Hurricane Harvey, \$450,000,000,
11 to remain available until September 30, 2018: *Provided*,
12 That such amount is designated by the Congress as being
13 for an emergency requirement pursuant to section
14 251(b)(2)(A)(i) of the Balanced Budget and Emergency
15 Deficit Control Act of 1985: *Provided further*, That not-
16 withstanding the transfer limitation contained in section
17 503 of division D of Public Law 112–74, such funding
18 may be transferred to other Coast Guard appropriations
19 after notification as required in accordance with such sec-
20 tion: *Provided further*, That a description of all facilities
21 and property to be reconstructed and restored, with asso-
22 ciated costs and time lines, shall be submitted to the Com-
23 mittees on Appropriations of the House of Representatives
24 and the Senate no later than 90 days after the date of
25 enactment of this Act.

1 FEDERAL EMERGENCY MANAGEMENT AGENCY
2 DISASTER RELIEF FUND
3 (INCLUDING TRANSFER OF FUNDS)

4 For an additional amount for the “Disaster Relief
5 Fund” in carrying out the Robert T. Stafford Disaster
6 Relief and Emergency Assistance Act (42 U.S.C. 5121 et
7 seq.), \$35,000,000,000, to remain available until ex-
8 pended: *Provided*, That of the total amount provided,
9 \$25,000,000,000 shall be for major disasters declared
10 pursuant to the Robert T. Stafford Disaster Relief and
11 Emergency Assistance Act (42 U.S.C. 5121 et seq.): *Pro-*
12 *vided further*, That the amount in the preceding proviso
13 is designated by the Congress as being for disaster relief
14 pursuant to section 251(b)(2)(D) of the Balanced Budget
15 and Emergency Deficit Control Act of 1985: *Provided fur-*
16 *ther*, That of the total amount provided, \$13,000,000,000
17 is designated by the Congress as being for an emergency
18 requirement pursuant to section 251(b)(2)(A)(i) of the
19 Balanced Budget and Emergency Deficit Control Act of
20 1985 which shall be for major disasters declared pursuant
21 to the Robert T. Stafford Disaster Relief and Emergency
22 Assistance Act (42 U.S.C. 5121 et seq.): *Provided further*,
23 That of the total amount provided, \$6,000,000 shall be
24 transferred to the Department of Homeland Security “Of-
25 fice of Inspector General” for audits and investigations re-

1 lated to disasters; *Provided further*, That the Adminis-
2 trator of the Federal Emergency Management Agency
3 shall publish on the Agency’s website not later than 24
4 hours after an award of a public assistance grant under
5 section 406 of the Robert T. Stafford Disaster Relief and
6 Emergency Assistance Act (42 U.S.C. 5172) the specifics
7 of the grant award: *Provided further*, That for any mission
8 assignment or mission assignment task order to another
9 Federal department or agency regarding a major disaster,
10 not later than 24 hours after the issuance of the mission
11 assignment or task order, the Administrator shall publish
12 on the Agency’s website the following: the name of the
13 impacted state and the disaster declaration for such State,
14 the assigned agency, the assistance requested, a descrip-
15 tion of the disaster, the total cost estimate, and the
16 amount obligated: *Provided further*, That not later than
17 10 days after the last day of each month until the mission
18 assignment or task order is completed and closed out, the
19 Administrator shall update any changes to the total cost
20 estimate and the amount obligated: *Provided further*, That
21 for a disaster declaration related to Hurricane Harvey, the
22 Administrator shall submit to the Committees on Appro-
23 priations of the House of Representatives and the Senate,
24 not later than 5 days after the first day of each month
25 beginning after the date of enactment of this Act, and

1 shall publish on the Agency’s website not later than 10
2 days after the first day of each such month, an estimate
3 or actual amount, if available, for the current fiscal year
4 of the cost of the following categories of spending: public
5 assistance, individual assistance, operations, mitigation,
6 administrative, and any other relevant category (including
7 emergency measures and disaster resources): *Provided fur-*
8 *ther*, That not later than 10 days after the first day of
9 each month beginning after the date of enactment of this
10 Act, the Administrator shall publish on the Agency’s
11 website the report (referred to as the Disaster Relief
12 Monthly Report) as required by Public Law 112–74.

13 DISASTER ASSISTANCE DIRECT LOAN PROGRAM ACCOUNT

14 For an additional amount for “Disaster Assistance
15 Direct Loan Program Account” for the cost of direct
16 loans, \$300,000,000, to remain available until expended,
17 as authorized by section 417 of the Robert T. Stafford
18 Disaster Relief and Emergency Assistance Act (42 U.S.C.
19 5184), of which up to \$4,000,000 is for administrative ex-
20 penses to carry out the direct loan program: *Provided*,
21 That such costs, including the cost of modifying such
22 loans, shall be as defined in section 502 of the Congres-
23 sional Budget Act of 1974: *Provided further*, That these
24 funds are available to subsidize gross obligations for the
25 principal amount of direct loans not to exceed

1 \$400,000,000: *Provided further*, That these amounts are
2 designated by the Congress as an emergency requirement
3 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-
4 et and Emergency Deficit Control Act of 1985.

5 SCIENCE AND TECHNOLOGY
6 RESEARCH, DEVELOPMENT, ACQUISITION, AND
7 OPERATIONS

8 For an additional amount for “Research, Develop-
9 ment, Acquisition, and Operations”, for necessary ex-
10 penses related to the consequences of Hurricane Harvey,
11 \$1,800,000,000, to remain available until September 30,
12 2018: *Provided*, That such amount is designated by the
13 Congress as being for an emergency requirement pursuant
14 to section 251(b)(2)(A)(i) of the Balanced Budget and
15 Emergency Deficit Control Act of 1985.

16 TITLE VII
17 DEPARTMENT OF THE INTERIOR
18 FISH AND WILDLIFE SERVICE
19 CONSTRUCTION

20 For an additional amount for “Construction” for nec-
21 essary expenses related to the consequences of Hurricane
22 Harvey, \$65,000,000, to remain available until expended:
23 *Provided*, That such amount is designated by the Congress
24 as being for an emergency requirement pursuant to sec-

1 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
2 gency Deficit Control Act of 1985.

3 NATIONAL PARK SERVICE

4 HISTORIC PRESERVATION FUND

5 For an additional amount for the “Historic Preserva-
6 tion Fund” for necessary expenses related to the con-
7 sequences of Hurricane Harvey, \$100,000,000, to remain
8 available until September 30, 2019, including costs to
9 States necessary to complete compliance activities re-
10 quired by section 106 of the National Historic Preserva-
11 tion Act and costs needed to administer the program: *Pro-*
12 *vided*, That grants shall only be available for areas that
13 have received a major disaster declaration pursuant to the
14 Robert T. Stafford Disaster Relief and Emergency Assist-
15 ance Act (42 U.S.C. 5121 et seq.): *Provided further*, That
16 individual grants shall not be subject to a non-Federal
17 matching requirement: *Provided further*, That such
18 amount is designated by the Congress as being for an
19 emergency requirement pursuant to section
20 251(b)(2)(A)(i) of the Balanced Budget and Emergency
21 Deficit Control Act of 1985.

22 CONSTRUCTION

23 For an additional amount for “Construction” for nec-
24 essary expenses related to the consequences of Hurricane
25 Harvey, \$700,000,000, to remain available until expended:

1 *Provided*, That such amount is designated by the Congress
2 as being for an emergency requirement pursuant to sec-
3 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
4 gency Deficit Control Act of 1985.

5 DEPARTMENTAL OPERATIONS

6 OFFICE OF THE SECRETARY

7 (INCLUDING TRANSFERS OF FUNDS)

8 For an additional amount for “Departmental Oper-
9 ations” and any Department of the Interior component
10 bureau or office for necessary expenses related to the con-
11 sequences of Hurricane Harvey, \$1,000,000,000, to re-
12 main available until expended: *Provided*, That funds ap-
13 propriated herein shall be used to restore and rebuild na-
14 tional parks, national wildlife refuges, and other Federal
15 public assets; increase the resiliency and capacity of coast-
16 al habitat and infrastructure to withstand storms and re-
17 duce the amount of damage caused by such storms: *Pro-*
18 *vided further*, That the Secretary of the Interior may
19 transfer these funds to any other account in the Depart-
20 ment and may expend such funds by direct expenditure,
21 grants, or cooperative agreements, including grants to or
22 cooperative agreements with States, Tribes, and municipi-
23 palities, to carry out the purposes provided herein: *Pro-*
24 *vided further*, That the Secretary shall submit to the Com-
25 mittees on Appropriations of the House of Representatives

1 and the Senate a detailed spending plan for the amounts
2 provided herein within 60 days of enactment of this Act:
3 *Provided further*, That such amount is designated by the
4 Congress as being for an emergency requirement pursuant
5 to section 251(b)(2)(A)(i) of the Balanced Budget and
6 Emergency Deficit Control Act of 1985.

7 ENVIRONMENTAL PROTECTION AGENCY

8 ENVIRONMENTAL PROGRAMS AND MANAGEMENT

9 For an additional amount for “Environmental Pro-
10 grams and Management” for necessary expenses related
11 to the consequences of Hurricane Harvey, \$2,500,000, to
12 remain available until expended: *Provided*, That such
13 amount is designated by the Congress as being for an
14 emergency requirement pursuant to section
15 251(b)(2)(A)(i) of the Balanced Budget and Emergency
16 Deficit Control Act of 1985.

17 HAZARDOUS SUBSTANCE SUPERFUND

18 For an additional amount for “Hazardous Substance
19 Superfund” for necessary expenses related to the con-
20 sequences of Hurricane Harvey, \$7,000,000, to remain
21 available until expended: *Provided*, That such amount is
22 designated by the Congress as being for an emergency re-
23 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
24 anced Budget and Emergency Deficit Control Act of 1985.

1 LEAKING UNDERGROUND STORAGE TANK FUND

2 For an additional amount for “Leaking Underground
3 Storage Tank Fund” for necessary expenses related to the
4 consequences of Hurricane Harvey, \$15,000,000, to re-
5 main available until expended: *Provided*, That such
6 amount is designated by the Congress as being for an
7 emergency requirement pursuant to section
8 251(b)(2)(A)(i) of the Balanced Budget and Emergency
9 Deficit Control Act of 1985.

10 STATE AND TRIBAL ASSISTANCE GRANTS

11 For an additional amount for “State and Tribal As-
12 sistance Grants”, \$600,000,000, to remain available until
13 expended, of which \$500,000,000 shall be for capitaliza-
14 tion grants for the Clean Water State Revolving Funds
15 under title VI of the Federal Water Pollution Control Act,
16 and of which \$100,000,000 shall be for capitalization
17 grants under section 1452 of the Safe Drinking Water
18 Act: *Provided*, That notwithstanding section 604(a) of the
19 Federal Water Pollution Control Act and section
20 1452(a)(1)(D) of the Safe Drinking Water Act, funds ap-
21 propriated herein shall be provided to States in EPA Re-
22 gion 6 for wastewater and drinking water treatment works
23 and facilities impacted by Hurricane Harvey: *Provided*
24 *further*, That notwithstanding the requirements of section
25 603(d) of the Federal Water Pollution Control Act, for

1 the funds appropriated herein, each State shall use not
2 less than 20 percent but not more than 30 percent of the
3 amount of its capitalization grants to provide additional
4 subsidization to eligible recipients in the form of forgive-
5 ness of principal, negative interest loans or grants or any
6 combination of these: *Provided further*, That the funds ap-
7 propriated herein shall only be used for eligible projects
8 whose purpose is to reduce flood damage risk and vulner-
9 ability or to enhance resiliency to rapid hydrologic change
10 or a natural disaster at treatment works as defined by
11 section 212 of the Federal Water Pollution Control Act
12 or any eligible facilities under section 1452 of the Safe
13 Drinking Water Act, and for other eligible tasks at such
14 treatment works or facilities necessary to further such
15 purposes: *Provided further*, That the Administrator of the
16 Environmental Protection Agency may retain up to
17 \$1,000,000 of the funds appropriated herein for manage-
18 ment and oversight: *Provided further*, That such amounts
19 are designated by the Congress as being for an emergency
20 requirement pursuant to section 251(b)(2)(A)(i) of the
21 Balanced Budget and Emergency Deficit Control Act of
22 1985.

1 RELATED AGENCIES
2 DEPARTMENT OF AGRICULTURE
3 FOREST SERVICE

4 CAPITAL IMPROVEMENT AND MAINTENANCE

5 For an additional amount for “Capital Improvement
6 and Maintenance” for necessary expenses related to the
7 consequences of Hurricane Harvey, \$4,400,000, to remain
8 available until expended: *Provided*, That such amount is
9 designated by the Congress as being for an emergency re-
10 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
11 anced Budget and Emergency Deficit Control Act of 1985.

12 OTHER RELATED AGENCY

13 SMITHSONIAN INSTITUTION

14 SALARIES AND EXPENSES

15 For an additional amount for “Salaries and Ex-
16 penses” for necessary expenses related to the con-
17 sequences of Hurricane Harvey, \$6,000,000, to remain
18 available until expended: *Provided*, That such amount is
19 designated by the Congress as being for an emergency re-
20 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
21 anced Budget and Emergency Deficit Control Act of 1985.

1 TITLE VIII
2 DEPARTMENT OF LABOR
3 EMPLOYMENT AND TRAINING ADMINISTRATION
4 TRAINING AND EMPLOYMENT SERVICES
5 (INCLUDING TRANSFERS OF FUNDS)
6 For an additional amount for “Training and Employ-
7 ment Services”, \$100,000,000, for the dislocated workers
8 assistance national reserve for necessary expenses directly
9 related to Hurricane Harvey, which shall be available from
10 the date of enactment of this Act through September 30,
11 2017: *Provided*, That the Secretary of Labor may transfer
12 up to \$12,000,000 of such funds to any other Department
13 of Labor account for other Hurricane Harvey reconstruc-
14 tion and recovery needs, including worker protection ac-
15 tivities: *Provided further*, That such amounts are des-
16 ignated by the Congress as being for an emergency re-
17 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
18 anced Budget and Emergency Deficit Control Act of 1985.

1 DEPARTMENT OF HEALTH AND HUMAN
2 SERVICES
3 OFFICE OF THE SECRETARY
4 PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY
5 FUND
6 (INCLUDING TRANSFERS OF FUNDS)

7 For an additional amount for “Public Health and So-
8 cial Services Emergency Fund” for disaster response and
9 recovery, and other expenses directly related to Hurricane
10 Harvey, including making payments under the Head Start
11 Act and additional payments for distribution as provided
12 for under the “Social Services Block Grant Program”,
13 \$2,500,000,000, to remain available until September 30,
14 2019: *Provided*, That \$300,000,000 shall be transferred
15 to “Children and Families Services Programs” for the
16 Head Start program for the purposes provided herein:
17 *Provided further*, That \$1,500,000,000 shall be trans-
18 ferred to “Social Services Block Grant” for the purposes
19 provided herein: *Provided further*, That section 2002(c) of
20 the Social Security Act shall be applied to funds appro-
21 priated in the preceding proviso by substituting “suc-
22 ceeding 2 fiscal years” for “succeeding fiscal year”: *Pro-*
23 *vided further*, That not less than \$5,000,000 shall be
24 transferred to the Department of Health and Human
25 Services (“HHS”) “Office of Inspector General” to per-

1 form oversight, accountability, and evaluation of pro-
2 grams, projects, or activities supported with the funds pro-
3 vided for the purposes provided herein: *Provided further*,
4 That notwithstanding any other provision of law, the dis-
5 tribution of any amount shall be limited to the States di-
6 rectly affected by Hurricane Harvey and which have been
7 declared by the President as a major disaster under title
8 IV of the Robert T. Stafford Disaster Relief and Emer-
9 gency Assistance Act for Hurricane Harvey: *Provided fur-*
10 *ther*, That none of the funds appropriated in this para-
11 graph shall be included in the calculation of the “base
12 grant” in subsequent fiscal years, as such term is defined
13 in sections 640(a)(7)(A), 641A(h)(1)(B), or 644(d)(3) of
14 the Head Start Act: *Provided further*, That funds appro-
15 priated in this paragraph are not subject to the allocation
16 requirements of section 640(a) of the Head Start Act:
17 *Provided further*, That funds appropriated in this para-
18 graph for the Social Services Block Grant are in addition
19 to the entitlement grants authorized by section 2002(a)(1)
20 of the Social Security Act and shall not be available for
21 such entitlement grants: *Provided further*, That in addition
22 to other uses permitted by title XX of the Social Security
23 Act, funds appropriated in this paragraph for the Social
24 Services Block Grant may be used for health services (in-
25 cluding mental health services), and for costs of ren-

1 ovating, repairing, or rebuilding health care facilities, child
2 care facilities, or other social services facilities: *Provided*
3 *further*, That the remaining \$695,000,000 appropriated in
4 this paragraph may be transferred by the Secretary of
5 HHS (“Secretary”) to accounts within HHS, and shall
6 be available only for the purposes provided in this para-
7 graph: *Provided further*, That the transfer authority pro-
8 vided in this paragraph is in addition to any other transfer
9 authority available in this or any other Act: *Provided fur-*
10 *ther*, That 15 days prior to the transfer of funds appro-
11 priated in this paragraph, the Secretary shall notify the
12 Committees on Appropriations of the House of Represent-
13 atives and the Senate of any such transfer and the
14 planned uses of the funds: *Provided further*, That obliga-
15 tions incurred for the purposes provided herein prior to
16 the date of enactment of this Act may be charged to funds
17 appropriated by this paragraph: *Provided further*, That
18 funds appropriated in this paragraph and transferred to
19 the National Institutes of Health for the purpose of sup-
20 porting the repair or rebuilding of non-Federal biomedical
21 or behavioral research facilities damaged as a result of
22 Hurricane Harvey shall be used to award grants or con-
23 tracts for such purpose under section 404I of the Public
24 Health Service Act: *Provided further*, That section
25 481A(c)(2) of such Act does not apply to the use of funds

1 described in the preceding proviso: *Provided further*, That
2 funds appropriated in this paragraph shall not be available
3 for costs that are reimbursed by the Federal Emergency
4 Management Agency, under a contract for insurance, or
5 by self-insurance: *Provided further*, That such amounts are
6 designated by the Congress as being for an emergency re-
7 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
8 anced Budget and Emergency Deficit Control Act of 1985.

9 TITLE IX

10 DEPARTMENT OF TRANSPORTATION

11 FEDERAL AVIATION ADMINISTRATION

12 FACILITIES AND EQUIPMENT

13 (AIRPORT AND AIRWAY TRUST FUND)

14 For an additional amount for “Facilities and Equip-
15 ment”, \$90,000,000, to be derived from the Airport and
16 Airway Trust Fund and to remain available until ex-
17 pended, for necessary expenses related to the consequences
18 of Hurricane Harvey: *Provided*, That such amount is des-
19 ignated by the Congress as being for an emergency re-
20 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
21 anced Budget and Emergency Deficit Control Act of 1985.

1 FEDERAL HIGHWAY ADMINISTRATION
2 FEDERAL-AID HIGHWAYS
3 EMERGENCY RELIEF PROGRAM

4 For an additional amount for the “Emergency Relief
5 Program” as authorized under section 125 of title 23,
6 United States Code, \$6,500,000,000, to remain available
7 until expended: *Provided*, That the obligations for projects
8 under this section resulting from a single natural disaster
9 or a single catastrophic failure in a State shall not exceed
10 \$300,000,000: *Provided further*, That notwithstanding the
11 preceding proviso, the Secretary of Transportation may
12 obligate more than \$100,000,000, but not more than
13 \$500,000,000, for a single natural disaster event in a
14 State for emergency relief projects arising from damage
15 caused in calendar year 2017 by Hurricane Harvey: *Pro-*
16 *vided further*, That no funds provided in this Act shall be
17 used for section 125(g) of such title: *Provided further*,
18 That the amount provided under this heading is des-
19 ignated by the Congress as being for an emergency re-
20 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
21 anced Budget and Emergency Deficit Control Act of 1985.

1 FEDERAL TRANSIT ADMINISTRATION
2 PUBLIC TRANSPORTATION EMERGENCY RELIEF PROGRAM
3 (INCLUDING TRANSFER OF FUNDS)

4 For the “Public Transportation Emergency Relief
5 Program” as authorized under section 5324 of title 49,
6 United States Code, \$33,000,000,000, to remain available
7 until expended, for recovery and relief efforts in the areas
8 most affected by Hurricane Harvey: *Provided*, That not
9 more than \$10,000,000,000 shall be made available not
10 later than 60 days after the enactment of this Act: *Pro-*
11 *vided further*, That the remainder of the funds shall be
12 made available only after the Federal Transit Administra-
13 tion and the Federal Emergency Management Agency sign
14 the Memorandum of Agreement required by section
15 20017(b) of the Moving Ahead for Progress in the 21st
16 Century Act (Public Law 112–141) and the Federal Tran-
17 sit Administration publishes interim regulations for the
18 Public Transportation Emergency Relief Program: *Pro-*
19 *vided further*, That of the funds provided under this head-
20 ing, the Secretary of Transportation may transfer up to
21 \$15,000,000,000 to the appropriate agencies to fund pro-
22 grams authorized under titles 23 and 49, United States
23 Code, in order to carry out projects related to reducing
24 risk of damage from future disasters in areas impacted
25 by Hurricane Harvey: *Provided further*, That the Commit-

1 tees on Appropriations of the House of Representatives
 2 and the Senate shall be notified at least 15 days in ad-
 3 vance of any such transfer: *Provided further*, That up to
 4 three-quarters of 1 percent of the funds retained for public
 5 transportation emergency relief shall be available for the
 6 purposes of administrative expenses and ongoing program
 7 management oversight as authorized under 49 U.S.C.
 8 5334 and 5338(i)(2) and shall be in addition to any other
 9 appropriations for such purposes: *Provided further*, That,
 10 of the funds made available under this heading,
 11 \$6,000,000 shall be transferred to the Office of Inspector
 12 General to support the oversight of activities funded under
 13 this heading: *Provided further*, That such amounts are
 14 designated by the Congress as being for an emergency re-
 15 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
 16 anced Budget and Emergency Deficit Control Act of 1985.

17 DEPARTMENT OF HOUSING AND URBAN

18 DEVELOPMENT

19 COMMUNITY PLANNING AND DEVELOPMENT

20 COMMUNITY DEVELOPMENT FUND

21 (INCLUDING TRANSFERS OF FUNDS)

22 For an additional amount for “Community Develop-
 23 ment Fund”, \$50,000,000,000, to remain available until
 24 September 30, 2021, for necessary expenses related to dis-
 25 aster relief, long-term recovery, restoration of infrastruc-

1 ture and housing, and economic revitalization in the most
2 impacted and distressed areas resulting from a major dis-
3 aster declared pursuant to the Robert T. Stafford Disaster
4 Relief and Emergency Assistance Act (42 U.S.C. 5121 et
5 seq.) due to Hurricane Harvey and other eligible events
6 in calendar years 2017, 2018, and 2019, for activities au-
7 thorized under title I of the Housing and Community De-
8 velopment Act of 1974 (42 U.S.C. 5301 et seq.): *Provided,*
9 That funds shall be awarded directly to the State or unit
10 of general local government as a grantee at the discretion
11 of the Secretary of Housing and Urban Development: *Pro-*
12 *vided further,* That the Secretary shall allocate to grantees
13 not less than 50 percent of the funds provided under this
14 heading within 60 days after the enactment of this Act
15 based on the best available data: *Provided further,* That
16 prior to the obligation of funds, a grantee shall submit
17 a plan to the Secretary for approval detailing the proposed
18 use of all funds, including criteria for eligibility and how
19 the use of these funds will address long-term recovery and
20 restoration of infrastructure and housing and economic re-
21 vitalization in the most impacted and distressed areas:
22 *Provided further,* That the Secretary shall by notice specify
23 the criteria for approval of such plans within 45 days of
24 enactment of this Act: *Provided further,* That if the Sec-
25 retary determines that a plan does not meet such criteria,

1 the Secretary shall disapprove the plan: *Provided further,*
2 That funds provided under this heading may not be used
3 for activities reimbursable by or for which funds are made
4 available by the Federal Emergency Management Agency
5 or the Army Corps of Engineers: *Provided further,* That
6 funds allocated under this heading shall not be considered
7 relevant to the non-disaster formula allocations made pur-
8 suant to section 106 of the Housing and Community De-
9 velopment Act of 1974 (42 U.S.C. 5306): *Provided further,*
10 That a grantee may use up to 5 percent of its allocation
11 for administrative costs: *Provided further,* That a grantee
12 shall administer grant funds provided under this heading
13 in accordance with all applicable laws and regulations and
14 may not delegate, by contract or otherwise, the responsi-
15 bility for administering such grant funds: *Provided further,*
16 That as a condition of making any grant, the Secretary
17 shall certify in advance that such grantee has in place pro-
18 ficient financial controls and procurement processes and
19 has established adequate procedures to prevent any dupli-
20 cation of benefits as defined by section 312 of the Robert
21 T. Stafford Disaster Relief and Emergency Assistance Act
22 (42 U.S.C. 5155), to ensure timely expenditure of funds,
23 to maintain comprehensive websites regarding all disaster
24 recovery activities assisted with these funds, and to detect
25 and prevent waste, fraud, and abuse of funds: *Provided*

1 *further*, That the Secretary shall provide grantees with
2 technical assistance on contracting and procurement proc-
3 esses and shall require grantees, in contracting or pro-
4 curing these funds, to incorporate performance require-
5 ments and penalties into any such contracts or agree-
6 ments: *Provided further*, That the Secretary shall require
7 grantees to maintain on a public website information ac-
8 counting for how all grant funds are used, including de-
9 tails of all contracts and ongoing procurement processes:
10 *Provided further*, That, in administering the funds under
11 this heading, the Secretary may waive, or specify alter-
12 native requirements for, any provision of any statute or
13 regulation that the Secretary administers in connection
14 with the obligation by the Secretary or the use by the re-
15 cipient of these funds (except for requirements related to
16 fair housing, nondiscrimination, labor standards, and the
17 environment) pursuant to a determination by the Sec-
18 retary that good cause exists for the waiver or alternative
19 requirement and that such action is not inconsistent with
20 the overall purposes of title I of the Housing and Commu-
21 nity Development Act of 1974 (42 U.S.C. 5301 et seq.):
22 *Provided further*, That, notwithstanding the preceding pro-
23 viso, recipients of funds provided under this heading that
24 use such funds to supplement Federal assistance provided
25 under section 402, 403, 404, 406, 407, or 502 of the Rob-

1 ert T. Stafford Disaster Relief and Emergency Assistance
2 Act (42 U.S.C. 5121 et seq.) may adopt, without review
3 or public comment, any environmental review, approval,
4 or permit performed by a Federal agency, and such adop-
5 tion shall satisfy the responsibilities of the recipient with
6 respect to such environmental review, approval or permit:
7 *Provided further*, That, notwithstanding section 104(g)(2)
8 of the Housing and Community Development Act of 1974
9 (42 U.S.C. 5304(g)(2)), the Secretary may, upon receipt
10 of a request for release of funds and certification, imme-
11 diately approve the release of funds for an activity or
12 project assisted under this heading if the recipient has
13 adopted an environmental review, approval or permit
14 under the preceding proviso or the activity or project is
15 categorically excluded from review under the National En-
16 vironmental Policy Act of 1969 (42 U.S.C. 4321 et seq.):
17 *Provided further*, That a waiver granted by the Secretary
18 may not reduce the percentage of funds that must be used
19 for activities that benefit persons of low and moderate in-
20 come to less than 50 percent, unless the Secretary specifi-
21 cally finds that there is a compelling need to further re-
22 duce or eliminate the percentage requirement: *Provided*
23 *further*, That the Secretary shall publish in the Federal
24 Register any waiver of any statute or regulation that the
25 Secretary administers pursuant to title I of the Housing

1 and Community Development Act of 1974 no later than
2 5 days before the effective date of such waiver: *Provided*
3 *further*, That, of the funds made available under this head-
4 ing, up to \$10,000,000 may be transferred to “Program
5 Office Salaries and Expenses, Community Planning and
6 Development” for necessary costs, including information
7 technology costs, of administering and overseeing funds
8 made available under this heading: *Provided further*, That
9 of the funds made available under this heading,
10 \$10,000,000 shall be transferred to “Office of the Inspec-
11 tor General” for necessary costs of overseeing and audit-
12 ing funds made available under this heading: *Provided fur-*
13 *ther*, That the amounts provided under this heading are
14 designated by the Congress as being for an emergency re-
15 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
16 anced Budget and Emergency Deficit Control Act of 1985.

17 GENERAL PROVISIONS—THIS TITLE

18 SEC. 1091. For fiscal year 2017, upon request by a
19 public housing agency and supported by documentation as
20 required by the Secretary of Housing and Urban Develop-
21 ment that demonstrates that the need for the adjustment
22 is due to the disaster, the Secretary may make temporary
23 adjustments to the section 8 housing choice voucher an-
24 nual renewal funding allocations and administrative fee
25 eligibility determinations for public housing agencies in an

1 area for which the President declared a disaster during
2 such fiscal year under title IV of the Robert T. Stafford
3 Disaster Relief and Emergency Assistance Act (42 U.S.C.
4 5170 et seq.), to avoid significant adverse funding impacts
5 that would otherwise result from the disaster.

6 SEC. 1092. The Departments of Transportation and
7 Housing and Urban Development shall submit to the
8 Committees on Appropriations of the House of Represent-
9 atives and the Senate within 45 days after the date of
10 the enactment of this Act a plan for implementing the pro-
11 visions in this title, and updates to such plan on a bian-
12 nual basis thereafter.

13 SEC. 1093. None of the funds provided in this title
14 to the Department of Transportation or the Department
15 of Housing and Urban Development may be used to make
16 a grant unless the Secretary of such Department notifies
17 the Committees on Appropriations of the House of Rep-
18 resentatives and the Senate not less than 3 full business
19 days before any project, State or locality is selected to re-
20 ceive a grant award totaling \$5,000,000 or more is an-
21 nounced by either Department or a modal administration.

22 SEC. 1094. The amounts otherwise provided by this
23 title are revised by reducing the amount made available
24 for “Small Business Administration—Disaster Loans Pro-
25 gram Account” for administrative expenses to carry out

1 the direct loan program authorized by section 7(b) of the
2 Small Business Act (and within such amount, the amount
3 made available for direct administrative expenses of loan
4 making and servicing to carry out such program), and in-
5 creasing the amount made available for “Department of
6 Veterans Affairs—National Cemetery Administration”, by
7 \$1,000,000.

8 SEC. 1095. None of the funds provided in this Act
9 shall be used for land acquisition by the Secretary of the
10 Interior or the Secretary of Agriculture.

11 This Act may be cited as the “Disaster Relief Appro-
12 priations Act, 2017”.

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